

REMARKS

Claims 1-44 are pending in this application and stand rejected. Claims 1, 32 and 36 have been amended. Applicants respectfully request reconsideration of the claim rejections based on the following remarks.

Claim Rejections – 35 U.S.C. § 112

Claims 1-44 stand rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth on page 3 of the Office Action. Although Applicants respectfully disagree with the claim rejection, the claims have been amended to clarify that the information signals are independently transmitted from a television signal. Support for this subject matter is clearly found throughout Applicants' specification, such as on page 10, line 17, through page 11, line 16. Accordingly, withdrawal of the rejection is requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-5, 8-11 and 32-33 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 5,999,970 to Krisbergh. It is respectfully submitted that at the very minimum, Krisbergh is legally deficient to establish a *prima facie* case of anticipation against claims 1 and 32, because Krisbergh does not disclose or suggest, for example, information signals that are independently transmitted from a television signal, as essentially claimed in claims 1 and 32. In contrast, Krisbergh explicitly discloses that information signals are embedded in television signals and that such signals must be extracted from the television signals for processing. In particular, Krisbergh teaches a set-top box that acts as a TV signal processor/tuner, which extracts information signals from the VBI vertical blanking intervals embedded in TV signals. Examiner even acknowledges this express teaching.

Accordingly, claims 1 and 32 are believed to be patentably distinct and patentable over Krisbergh. Further, dependent claims 2-5, 8-11 and 33 are patentably distinct and patentable over Krisbergh at least for the same reasons given for respective base claims 1 and 32.

Claim Rejections – 35 U.S.C. § 103

The following claim rejections have been asserted under 35 U.S.C. § 103(a):

Claims 6-7 stand rejected as being unpatentable over Krisbergh in view of U.S. Patent 6,141,356 to Gorman;

Claims 12-14 stand rejected as being unpatentable over Krisbergh in view of U.S. Patent No. 5,561,703 to Arledge;

Claims 15-16 stand as being unpatentable over Krisbergh in view of U.S. Patent No. 5,991,596 to Cunningham;

Claims 17-18 stand rejected as being unpatentable over Krisbergh in view of U.S. Patent No. 6,320,941 Tyroler;

Claims 19-22, 26-28, and 34-35 stand rejected as being unpatentable over Krisbergh in view of U.S. Patent No. 6,263,501 to Schein;

Claims 23-24 stand rejected as being unpatentable over Krisbergh in view of Schein and further in view of U.S. Patent No. 5,812,931 to Yuen;

Claim 25 stands rejected as being unpatentable over Krisbergh in view of Schein and further in view of Yuen and further in view of Arledge;

Claims 29-31 stand rejected as being unpatentable over Krisbergh in view of Schein and further in view of Cunningham;

Claims 36-39 stand rejected as being unpatentable over Krisbergh in view of U.S. Patent No. 6,285,407 to Yasuki;

Claim 40 stands rejected as being unpatentable over Krisbergh in view of Yasuki and further in view of Arledge;


Claim 41 stands rejected as being unpatentable over Krisbergh in view of Yasuki and further in view of Cunningham;

Claims 42-43 stand rejected as being unpatentable over Krisbergh in view of Yasuki and further in view of Tyroler; and

Claim 44 stands rejected as being unpatentable over Krisbergh in view of Yasuki and further in view of Schein.

It is respectfully submitted that at the very minimum, the above cited combinations of references, all of which are combined with Krisbergh, are legally deficient to establish a *prima facie* case of obviousness against the claims because none of the cited combinations discloses or suggests, for example, information signals that are independently transmitted from a television signal. One advantage of the present invention is that a communication device can be coupled to a conventional television set (which essentially acts as a display device), or any other display device such as a computer monitor. Accordingly, for at least the above reasons, withdrawal of the obviousness rejections is respectfully requested.

Respectfully submitted,


Frank V. DeRosa
Reg. No. 43,584

F. Chau & Associates, LLP
1900 Hempstead Turnpike
East Meadow, New York 11553
TEL: (516) 357-0091
FAX: (516) 357-0092